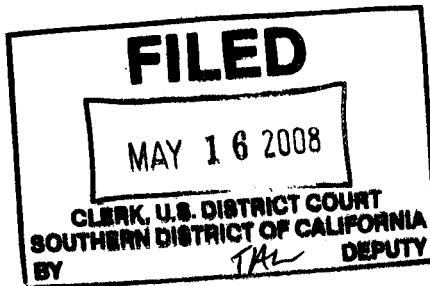


AUSA



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 84 29

UNITED STATES OF AMERICA,

Plaintiff,

v.

Fernando Rafael CHAGOYAN-Ramirez

Defendant.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

That on or about May 15, 2008, within the Southern District of California, defendant Fernando Rafael CHAGOYAN-Ramirez did knowingly and intentionally import approximately 84.28 kilograms (185.41 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


BRANDON M. WOOD
Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 16th,
DAY OF MAY 2008.


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Fernando Rafael CHAGOYAN-Ramirez

4 STATEMENT OF FACTS

5 This Statement of Facts is based on the reports, documents, and notes
6 furnished to U. S. Immigration and Customs Enforcement Special Agent Brandon
7 Wood.

8 On May 15, 2008, at approximately 0650 hours, Fernando Rafael CHAGOYAN-
9 Ramirez entered the United States at the Calexico, California East Port of Entry (POE).
10 CHAGOYAN was the driver, registered owner, and sole occupant of a 1987
11 Volkswagen Vanagon with Mexican license plate number BN13387.

12 Customs and Border Protection Officer (CBPO) S. Price was manning primary
13 lane three (3), when Fernando Rafael CHAGOYAN-Ramirez pulled up to her lane and
14 requested entry into the United States. CBPO S. Price took a negative Customs
15 declaration from CHAGOYAN. CHAGOYAN stated to CBPO S. Price he was going to a
16 school in El Centro to transport individuals to another school in Mexico. CBPO S. Price
17 opened the back of the vehicle and attempted to open what appeared to be a floor
18 compartment. CBPO S. Price referred CHAGOYAN and the vehicle to the vehicle
19 secondary lot for a more intensive inspection.

20 CBPO M. Salazar identified CHAGOYAN by his Visa and Mexican passport.
21 CBPO M. Salazar received a negative Customs declaration from CHAGOYAN.
22 CHAGOYAN stated he was going to pick up some students. CHAGOYAN stated the
23 students were going to be taken to a school in Mexicali to be taught English.
24 CHAGOYAN stated he had owned the vehicle for two years. While inspecting the
25 vehicle, CBPO M. Salazar noticed discrepancies on the floor of the vehicle. CBPO M.
26 Salazar noticed that the floor of the vehicle felt solid when tapped. CBPO M. Salazar
27 used a "Buster" which gave him a reading in the 70's.

28 CBPO M. Salazar requested that Customs and Border Protection Canine Officer
29 (CEO) E. Smura screen CHAGOYAN'S vehicle with his Human-Narcotics Detector Dog

1 (NHDD). CEO E. Smura's NHDD alerted to the passenger side floor of the vehicle.
2 CEO E. Smura advised CBPO M. Salazar of the alert.

3 CBPO M. Salazar further inspected the vehicle and discovered a non-factory
4 floor compartment containing thirty (32) packages. One of the packages was probed
5 and produced a green, leafy substance that field tested positive for marijuana, a
6 Schedule I Controlled Substance. The total weight of the packages was 84.28
7 kilograms (185.41 pounds).

8 Special Agent Brandon Wood placed CHAGOYAN under arrest for violation of
9 Title 21 United States Code 952 and 960, Importation of a Controlled Substance.
10 CHAGOYAN was advised of his Constitutional Rights, per Miranda, which he
11 acknowledged and waived.

12 CHAGOYAN admitted knowledge that a controlled substance was concealed
13 within the vehicle. CHAGOYAN stated to Agent Wood that the smuggling organization
14 was going to pay him \$2,000.00 to smuggle the controlled substance into the United
15 States and drop it off at a local Jack-In-the-Box. CHAGOYAN stated that he was
16 possibly going to drop it off in San Diego.